



Atty. Dkt. No. 016906-0346

12/19/2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Winfried JUSCHKA et al.

Title: EXHAUST HEAT EXCHANGER IN PARTICULAR FOR MOTOR VEHICLES

Appl. No.: 10/511,726

Filing Date: 10/18/2004

Examiner: M. Gimie

Art Unit: 3747

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

12/19/2005 MBEYENE1 00000069 10511726

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

Document A24 discloses a heat exchanger.

Document A26 discloses a cooler for gaseous or fluid media, in particular an exhaust gas cooler for a combustion powered machine.

Document A32 discloses a heat exchanger, in particular an exhaust gas heat exchanger.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a “concise explanation of relevance” for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 15, 2005

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Richard L. Schwaab
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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Date Submitted: December 15, 2005

(use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	10/511,726
Filing Date	10/18/2004
First Named Inventor	Winfried JUSCHKA
Group Art Unit	3747
Examiner Name	Unassigned
Attorney Docket Number	016906-0346

O I P E

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U.S. PATENT AND TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
A1	1,558,139			ZIMMERMANN	10-20-1925	
A2	6,269,870	B1		BANZHAF ET AL.	08-07-2001	
A3	2,488,807			CURRIE	11-22-1949	
A4	4,133,374			YORK	01-09-1979	
A5	6,206,086			McKEY	03-27-2001	
A6	4,635,712			BAKER ET AL.	01-13-1987	
A7	2,075,511			DE BAUFRE	03-30-1937	
A8	4,773,475			SLEEP, JR.	09-27-1988	
A9	5,022,581			ZIMMER	06-11-1991	
A10	4,974,569			AMPFERER ET AL.	12-04-1990	
A11	5,584,340			DEROSIER	12-17-1996	
A12	6,129,142			BELDAM	10-10-2000	
A13	1,724,351			HENDERSON ET AL.	08-13-1929	
A14	5,048,596			LU	09-17-1991	
A15	1,780,837			NOTT	11-04-1930	
A16	2,607,567			HOBBS	08-19-1952	
A17	6,321,835	B1		DAMSOHN ET AL.	11-27-2001	
A18	2004/0244946	A1		SCHINDLER	12-09-2004	
A19	2005/0224213	A1		KAMMLER	10-13-2005	
A20	2005/0034843	A1		SCHINDLER ET AL.	02-17-2005	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
A21	GB	1,101,867			THE AIR PREHEATER COMPANY, INC.	01-31-1968		
A22	EP	0 930 429	A2		STEYR-NUTZFAHRZEUGE ATIENGESELLSCHAFT	07-21-1999		Abst.
A23	DE	199 07 163	A1		BEHR GMBH & CO.	10-28-1999		Abst.
A24	DE	29 30 577	A1		WIESSNER GMBH	02-12-1981		
A25	GB	2 164 738	A		SUDDEUTSCHE KUHLERFABRIK JULIUS FR BEHR GMBH & CO. KG	03-26-1986		
A26	DE	296 12 361	U1		GUSTAV WAHLER u CO.	10-10-1996		
A27	DE	34 35 093	A1		SUEDDEUTSCHE KUEHLER BEHR	04-03-1986		Abst.
A28	FR	2 625 301	A3		VALEO CHAUSSON THERMIQUE	06-30-1989		Abst.

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			
Date Submitted: December 15, 2005		(use as many sheets as necessary)	
Sheet	2	of	2
		Attorney Docket Number	

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A29	DE	100 09 179	A1	XCELLSIS GMBH	09-06-2001		Abst.
	A30	EP	0 422 370	B1	PORSCHE AG	04-17-1991		Abst.
	A31	DE	196 54 368	A1	BEHR GMBH & CO.	06-25-1998		Abst.
	A32	DE	296 22 411	U1	BEHR GMBH & CO.	03-27-1997		

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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